

1 KAMALA D. HARRIS
Attorney General of California
2 ALFREDO TERRAZAS
Senior Assistant Attorney General
3 JANICE K. LACHMAN
Supervising Deputy Attorney General
4 State Bar No. 186131
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 445-7384
Facsimile: (916) 327-8643
7 *Attorneys for Complainant*

8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2013-468

13 **KAREN GAIL HARLINE**
8219 W. Marco Polo Road
14 **Peoria, AZ 85382**

ACCUSATION

15 **Registered Nurse License No. 293943**

16 Respondent.

17 Louise R. Bailey, M.Ed., RN ("Complainant") alleges:

18 **PARTIES**

19 1. Complainant brings this Accusation solely in her official capacity as the Executive
20 Officer of the Board of Registered Nursing ("Board"), Department of Consumer Affairs.

21 2. On or about August 31, 1978, the Board issued Registered Nurse License Number
22 293943 to Karen Gail Harline ("Respondent"). The license was in full force and effect at all
23 times relevant to the charges brought herein and will expire on November 30, 2013, unless
24 renewed.

25 **JURISDICTION**

26 3. Business and Professions Code ("Code") section 2750 provides, in pertinent part, that
27 the Board may discipline any licensee, including a licensee holding a temporary or an inactive
28

1 license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing
2 Practice Act.

3 4. Code section 2764 provides, in pertinent part, that the expiration of a license shall not
4 deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or
5 to render a decision imposing discipline on the license. Under Code section 2811(b), the Board
6 may renew an expired license at any time within eight years after the expiration.

7 STATUTORY PROVISIONS

8 5. Code section 2761 states, in pertinent part:

9 The board may take disciplinary action against a certified or licensed nurse or
10 deny an application for a certificate or license for the following:

11 (a) Unprofessional conduct.

12 (4) Denial of licensure, revocation, suspension, restriction, or any other
13 disciplinary action against a health care professional license or certificate by another
14 state or territory of the United States, by any other government agency, or by another
California health care professional licensing board. A certified copy of the decision
or judgment shall be conclusive evidence of that action.

15 COST RECOVERY

16 6. Code section 125.3 provides, in pertinent part, that the Board may request the
17 administrative law judge to direct a licentiate found to have committed a violation or violations of
18 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
19 enforcement of the case.

20 FIRST CAUSE FOR DISCIPLINE

21 (Out-of-State Discipline)

22 7. Respondent is subject to discipline under Code section 2761(a)(4), in that effective
23 October 10, 2011, pursuant to a Consent Agreement and Order issued by the Arizona State Board
24 of Nursing, in a disciplinary proceeding titled, *In the Matter of Registered Nurse License No.*
25 *RN129779 Issued to Karen Gail Harline*, a Decree of Censure was entered against Respondent's
26 Registered Nurse License Number 129779. The Consent Agreement and Order was based on
27 numerous Findings of Fact, including the following: While employed at Arrowhead Hospital,
28 located in Glendale, Arizona, Respondent initiated patient care for two patients without physician

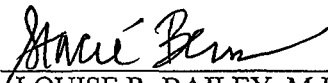
orders. The Consent Agreement and Order is attached hereto as **Exhibit A** and incorporated herein by reference.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 293943, issued to Karen Gail Harline;
2. Ordering Karen Gail Harline to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Code section 125.3; and,
3. Taking such other and further action as deemed necessary and proper.

DATED: December 10, 2012

for 
LOUISE R. BAILEY, M.ED., RN
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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Exhibit A
Consent Agreement and Order

BEFORE THE ARIZONA STATE BOARD OF NURSING

IN THE MATTER OF REGISTERED
NURSE LICENSE NO. RN129779
ISSUED TO:

KAREN GAIL HARLINE
RESPONDENT

DECREE OF CENSURE

**CONSENT AGREEMENT
AND ORDER NO. 1104037**

A complaint charging Karen Gail Harline ("Respondent") with violation of the Nurse Practice Act has been received by the Arizona State Board of Nursing ("Board"). In the interest of a prompt and speedy settlement of the above-captioned matter, consistent with the public interest, statutory requirements and the responsibilities of the Board, and pursuant to A.R.S. § 41-1092.07 (F) (5), the undersigned parties enter into this Consent Agreement as a final disposition of this matter:

Based on the evidence before it, the Board makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. Respondent holds Board issued registered nurse license no. RN129779.
2. On or about April 11, 2010 the Board received a complaint against Respondent's license from the Director of Maternal Child at Arrowhead Hospital in Glendale, Arizona alleging that Respondent had initiated patient care for two patients without physician orders. Based on the complaint the Board conducted an investigation.
2. From on or about October 2004, to March 2011, Respondent was employed at Arrowhead Hospital in Glendale, Arizona.

3. On or about March 2, 2011, Respondent initiated an Amnioinfusion infusion for patient M.C. without a physicians order. In a written statement on June 2, 2011, Respondent admitted she had initiated the Amnioinfusion without notifying the doctor.

4. On or about March 11, 2011, Respondent initiated an Amnioinfusion infusion for patient V. R. without a physicians order. Respondent stated she had received a verbal order for the Amnioinfusion but the written verbal order could not be located.

5. On or about March 2, 2011, Respondent amended a medical record entry for patient M. C. but failed to adhere to the hospital documentation policy for amending a medical record entry to the electronic medical record for patient M. S.

6. On or about March 2, 2011, Respondent failed to adhere to the hospital policy regarding comprehensive and detailed fetal monitoring documentation for patient M. C. On or about March 22, 2011, Respondent failed to adhere to the hospital policy regarding comprehensive and detailed fetal monitoring documentation for patient V. R.

CONCLUSIONS OF LAW

Pursuant to A.R.S. §§ 32-1606, 32-1663 and 32-1664, the Board has subject matter and personal jurisdiction in this matter.

The conduct and circumstances described in the Findings of Fact constitute violations of A.R.S. § 32-1663(D); A.R.S. § 32-1601 (18) (d) (Any conduct or practice that is or might be harmful or dangerous to the health of a patient or the public), and (j), (Violating a rule that is adopted by the Board pursuant to this chapter); (effective October 14, 2009): specifically:

A.A.C. § R4-19-403 (1) (A pattern of failure to maintain minimum standards of acceptable and prevailing nursing practice), (effective February 2, 2009).

A.A.C. § R4-19-403 (7) (Failing to maintain for a patient record that accurately reflects the nursing assessment, care, treatment, and other nursing services provided to the patient), (effective February 2, 2009).

A.A.C. § R4-19-403 (12) (Assuming patient care responsibilities that the nurse lacks the education to perform, for which the nurse has failed to maintain nursing competence, or that are outside the scope of practice of the nurse), (effective February 2, 2009).

A.A.C. § R4-19-403 (9) (Failing to take appropriate action to safeguard a patient's welfare or follow policies and procedures of the nurse's employer designed to safeguard the patient), (effective February 2, 2009).

A.A.C. § R4-19-403 (31) (Practicing in any other manner that gives the Board reasonable cause to believe that health of a patient or the public may be harmed) (effective February 2, 2009), (effective February 2, 2009).

The conduct and circumstances described in the Findings of Fact constitute sufficient cause pursuant to AR.S. § 32-1664(N) to revoke, suspend or take other disciplinary action against the license of Respondent to practice as a registered nurse in the State of Arizona.

Respondent admits the Board's Findings of Fact and Conclusions of Law.

In lieu of a formal hearing on these issues, Respondent agrees to issuance of the attached Order and waives all rights to a hearing, rehearing, appeal or judicial review relating to this matter. Respondent further waives any and all claims or causes of action, whether known or unknown, that Respondent may have against the State of Arizona, the Board, its members, offices, employees and/or agents arising out of this matter.

Respondent understands that all investigative materials prepared or received by the Board concerning these violations and all notices and pleadings relating thereto may be retained in the Board's file concerning this matter.

Respondent understands that those admissions are conclusive evidence of a prior violation of the Nurse Practice Act and may be used for purposes of determining sanctions in any future disciplinary matter.

Respondent understands the right to consult legal counsel prior to entering into this Consent Agreement and such consultation has been either obtained or is waived.

Respondent understands that this Consent Agreement is effective upon its acceptance by the Board and by Respondent as evidenced by the respective signatures thereto. Respondent's signature obtained via facsimile shall have the same effect as an original signature. Once signed by Respondent, the Agreement cannot be withdrawn without the Board's approval or by stipulation between Respondent and the Board's designee. The effective date of this Order is the date the Consent Agreement is signed by the Board and by Respondent. If the Consent Agreement is signed on different dates, the later date is the effective date.

Karen D. Harline
Respondent

Dated: 10-10-11

ARIZONA STATE BOARD OF NURSING

Joey Ridenour R.N. M.N. F.A.A.N.

Joey Ridenour, R.N., M.N., F.A.A.N.
Executive Director

Dated: September 23, 2011

SEAL

TORREZ/RN129779, HARLINE

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ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, the parties agree to the provision and penalties imposed as follows:

1. Respondents consent to the terms and conditions of this Order and waiver of public hearing are accepted.
2. It is ordered that a DECREE OF CENSURE be entered against license no. RN129779, held by Respondent.

SEAL

ARIZONA STATE BOARD OF NURSING

Joey Ridenour R.N. M.N. F.A.A.N.

Joey Ridenour, R.N., M.N., F.A.A.N.
Executive Director

Dated: September 23, 2011

JR/srt:ts

COPY mailed this 3rd day of October, 2011, by First Class Mail to:

Karen Gail Harline
8219 W. Marco Polo Rd.
Peoria, AZ 85382

By: Trina Smith
Legal Secretary

EXECUTED SEALED COPIES mailed this 13th day of October, 2011, by First Class Mail to:

Karen Gail Harline
8219 W. Marco Polo Rd.
Peoria, AZ 85382

By: Trina Smith
Legal Secretary